

LIPSON NEILSON P.C.
JOSEPH P. GARIN, ESQ.
Nevada Bar No. 6653
ANGELA N. OCHOA, ESQ.
Nevada Bar No. 10164
9900 Covington Cross Drive, Ste. 120
Las Vegas, Nevada 89144
(702) 382-1500 phone
(702) 382-1512 fax
jgarin@lipsonneilson.com
aocchoa@lipsonneilson.com

*Attorneys for Defendants TC Nevada, LLC,
Michael Haggerty, John P. Haggerty, and
Olga F. Haggerty*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TEMSA ULASIM ARACLARI SANAYI VE TICARET A.S.

Plaintiff.

vs.

TC NEVADA, LLC, MICHAEL
HAGGERTY, JOHN P. HAGGERTY, and
OLGA F. HAGGERTY

Defendants.

CASE NO.: 2:18-cv-01738-APG-EJY

**STIPULATION TO EXTEND
DISCOVERY DEADLINES
(FOURTH REQUEST)**

The parties, by and through their undersigned counsel hereby file their Stipulation to Extend Discovery pursuant to Local Rule 26-4. The parties stipulate and agree to extend certain deadlines in this case from the dates set forth in the operative Discovery Plan and Scheduling Order (ECF No. 67, filed March 14, 2023).

The parties state as follows:

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1 **I. Introduction**

2 This case commenced in 2018. However, it was stayed for nearly three years while
3 other suits across the country involving Plaintiff Temsa and some of the motorcoaches
4 which are the subject of this case continued to resolution. ECF No. 49. On February 27,
5 2023, the stay was lifted, leading the parties to file a Stipulated Discovery Plan. ECF 65,
6 66. On March 14, 2023, this Court issued a Scheduling Order, which in relevant part, states
7 that the initial expert deadline is July 17, 2023. ECF 67. This Stipulation seeks to extend
8 the initial expert deadline and all deadlines thereafter for 90 approximately days.

9 **II. Discovery Completed**

- 10 (a) Plaintiff served its Initial Disclosures on January 25, 2019;
11 (b) Defendants served their Initial Disclosures on January 25, 2019;
12 (c) Defendants served their First Supplement to Initial Disclosures on March 19,
13 2019;
14 (d) Defendants served their First Set of Interrogatories and First Set of Requests
15 for Production of Documents on March 19, 2019;
16 (e) Plaintiff served its First Set of Interrogatories and First Set of Requests for
17 Production of Documents on April 9, 2019;
18 (f) Plaintiff served its Responses to Defendants' First Set of Interrogatories and
19 First Set of Requests for Production of Documents on May 22, 2019;
20 (g) Plaintiff served its First Supplement to Initial Disclosures on May 22, 2019;
21 (h) Defendants served their Second Supplement to Initial Disclosures on June 14
22 2019;
23 (i) Defendants served their Responses to Plaintiff's First Set of Interrogatories
24 and First Set of Requests for Production of Documents on 23 June 19;
25 (j) Defendant John P. Haggerty served his Second Set of Interrogatories, First
26 Set of Request for Admissions, and First Set of Requests for Production of Documents
27 to Plaintiff on July 19, 2019;
28 (k) Defendants served their Third Supplement to Initial Disclosures on July 19, 2019;

1 (l) Defendants served their Fourth Supplement to Initial Disclosures on July 26,
2 2019;
3 (m) Plaintiff served its Responses to John P. Haggerty's Second Set of
4 Interrogatories, First Set of Request for Admissions, and First Set of Requests for
5 Production of Documents to Plaintiff on October 8, 2019;
6 (n) Defendant John P. Haggerty served his Second Set of Request for
7 Admissions and Second Set of Requests for Production of Documents to
8 (o) Defendants served their Fifth Supplement to Initial Disclosures on November
9 14, 2019;
10 (p) Plaintiff served its responses to John P. Haggerty's Request for Admissions and
11 Second Set of Request for Production of Documents on December 2, 2019;
12 (q) John P. Haggerty served his Third Set of Request for Production of Documents
13 on March 20, 2023;
14 (r) Plaintiff served its responses to John P. Haggerty's Third Set of Request for
15 Production of Documents on April 19, 2023; and
16 (s) Defendants served their Sixth Supplement to Initial Disclosures on May 31, 2023.

17 **III. Discovery that Remains to be Completed**

- 18 (a) Depositions of all parties and third-party witnesses.
19 (b) Discovery of documents in the possession, custody or control of
20 (c) Any additional written discovery.
21 (d) Expert witness disclosures.
22 (e) Depositions of experts.

23 **IV. Reasons discovery is not completed.**

24 Good cause exists to extend the deadline by 90 days as the parties have in good
25 faith sought to work through discovery issues. As discussed above, this instant case was
26 stayed for almost three years while other case were resolved, some having completed their
27 own separate discovery. To pair down and ascertain the parties' current position since the
28 initial written discovery was completed, Defendants sought supplementation and

1 clarification, and followed up with additional requests for productions and a meet and confer
2 that occurred on May 15, 2023.

3 Plaintiff is working on supplementing its discovery responses and disclosure of
4 witnesses and documents. However, the process has been slower than anticipated due to
5 several earthquakes that occurred in the Plaintiff's country of origin, Turkey.

6 As a result of the meet and confer, the parties agreed for Defendants to amend their
7 answers to add an affirmative defense. ECF 69. Defendants have diligently proceeded
8 with discovery, filing amended answers and serving a Sixth Supplemental Disclosure of
9 Witnesses and Documents. ECF 70, 71, 72, 73.

10 The parties submit that given the amount of time that has passed since the initial
11 filing of the complaint and since the last substantive discovery was completed, it is
12 imperative to understand whether the parties' respective positions about the facts and
13 issues of the case have changed before making an initial expert disclosure.

14 The parties submit that it is more efficient for experts to review case materials and
15 case issues at once, rather than piecemeal with supplements. The parties believe a 90-day
16 extension is necessary for them to work out their discovery issues so that their experts can
17 have all of the facts and issues before placing their opinions in a report.

18 **V. Proposed deadlines.**

Initial Expert Disclosures	October 13, 2023
Rebuttal Expert Disclosures	November 13, 2023
Close of Discovery	December 13, 2023
Dispositive Motions	January 12, 2024
Joint Pretrial Order	February 12, 2024

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1 **VI. Conclusion**

2 Based on the foregoing, the parties respectfully request that this Court issue an
3 Order extending discovery as set forth above.

4 IT IS SO STIPULATED.

5 Dated this 7th day of July, 2023.

6 Dated this 7th day of July, 2023.

7 KAEMPFER CROWELL

8 LIPSON NEILSON P.C.

9 By: /s/ Ryan M. Lower

10 Ryan M. Lower, Esq.

11 NV Bar No. 9108

12 Joseph P. Garin, Esq.

13 Raleigh C. Thompson, Esq.

14 NV Bar No. 6653

15 NV Bar No. 11296

16 Angela N. Ochoa, Esq.

17 1980 Festival Plaza Drive, Suite 650

18 9900 Covington Cross Drive, Suite. 120

19 Las Vegas, Nevada 89135

20 Las Vegas, Nevada 89144

21 Attorneys for Defendants

22 Thomas J. Finn, Esq. (*Pro Hac Vice*)

23 James E. Regan, Esq. (*Pro Hac Vice*)

24 MCCARTER & ENGLISH, LLP

25 185 Asylum Street

26 Hartford, Connecticut 06119

27 Attorneys for Plaintiff

28 IT IS SO ORDERED.

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31 UNITED STATES MAGISTRATE JUDGE

32 Dated: July 10, 2023